

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DWYER	:	CIVIL ACTION
	:	
vs.	:	
	:	
ROBERT SHANNON, et al.	:	NO. 07-4996

ORDER

AND NOW, this 11th day of December, 2008, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the response thereto, and after review of the Report and Recommendation of Magistrate Judge Henry S. Perkin, together with the objections filed by the Petitioner, it is hereby **ORDERED** that:

1. The objections to the Report and Recommendation are **OVERRULED**;
2. the Report and Recommendation is **APPROVED** and **ADOPTED**;
3. the Petition for a Writ for Habeas Corpus is **DENIED WITH PREJUDICE**
and **DISMISSED WITHOUT AN EVIDENTIARY HEARING**;
4. there is **no** probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY, Sr. J.